

# PETER COSTEA

ATTORNEY AT LAW  
TREE RIVERWAY, SUITE 1800  
HOUSTON, TEXAS 77056

PHONE: 713/337-4304

FAX: 713/659-5302

October 11, 2013

The Honorable Judge Nancy Atlas  
United States Court House  
515 Rusk  
Houston, Texas 77002

Re.: Cause Nr.: 4:12-cv-03532; Jose S. Garza v. National Oilwell Varco, L.P., In  
the United States District Court for the Southern District of Texas; Houston  
Division

Dear Judge Atlas:

This correspondence addresses certain discovery concerns of the Plaintiff. The litigants have appeared before the Court a few times and the Court is generally aware of the nature of Plaintiff's claims and Defendant's defenses. Essentially this case is an employment dispute in which Plaintiff claims same-sex sexual harassment and retaliation. On September 12, 2013 Defendant served its objections and answers to Plaintiff's interrogatories and requests for production of documents. Subsequently, counsel conferred regarding Plaintiff's discovery requests but unfortunately only small progress has been made. Depositions have also been taken earlier this week but nevertheless the remaining discovery concerns of the Plaintiff remain outstanding.

Plaintiff attaches as Exhibit 1 Defendant's Objections and Answers to Plaintiff's First Set of Interrogatories, and as Exhibit 2 Defendant's Objections and Answers to Plaintiff's First Request for Production of Documents.

## Interrogatories

The following matters have not been answered by Defendant: (1) Plaintiff's performance (Interrogatory 1); (2) other sexual harassment suits and/or EEOC claims for the last 10 years (Interrogatory 6); (3) the size of the Defendant, employee-wise (Interrogatory 7); (4) Defendant's progressive discipline (Interrogatory 10); (5) complaints about Steve Hunt, the male employee who sexually harassed the Plaintiff (Interrogatory 12); (6) disciplinary actions Defendant took against employees at Plaintiff's plant for sexual harassment (Interrogatory 13); (7) the criminal background, if any, of Defendant's witnesses (Interrogatory 15); (8) all reprimands Defendant gave Steve Hunt (Interrogatory 17); (9) complaints of sexual harassment at Plaintiff's plant from

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1999 to 2009 (Interrogatory 20); (10) sexual harassment seminars at Plaintiff's plant from 1999 to 2009 (Interrogatory 21); (11) complaints about Steve Hunt (Interrogatory 22); (12) Steve Hunt's employment history with the Defendant (Interrogatory 23).

Requests for Production of Documents

The following categories of documents have yet to be produced.

About the Plaintiff: (1) attendance records (RFP 18); (2) performance (RFP 19); (3) memoranda regarding the Plaintiff (RFP 21); (4) training of the Plaintiff, including sexual harassment (RFP 30 and 32) (5) electronic communications about the Plaintiff (RFP 37; 41; 42; 60); (6) work schedules in 2009 (RFP 64); (7) records reflecting the number of hours Plaintiff worked in 2009 (RFP 66); (8) COBRA advisories (RFP 76); (9) third party inquiries about the Plaintiff and responses by Defendant (RFP 77).

About Steve Hunt: (1) a complete copy of his personnel file (RFP 8); (2) memoranda and electronic communications about Steve Hunt (RFP 38; 43); (3) his work schedules for 2009; (4) training in sexual harassment (RFP 67); (5) notes about his conduct in the work place (RFP 90; 92).

About the Company: (1) documents showing the number of employees it employs (RFP 12); (2) organization chart (RFP 79).

About Other Employees: (1) personnel files of all witnesses in this case (RFP 39, 40, 44, 46, 47, 48, 49, 50 51); (2) business calendars of management in 2009 (RFP 63).

Other Claims and Litigation: (1) sexual harassment complaints from 1999 to 2009 (RFP 82); investigations of sexual harassment complaints from 1999 to 2009 (RFP 83; 88).

Sexual Harassment Seminars: (1) sexual harassment seminars from 1999 to 2009 (RFP 87; 91).

Prayer

Plaintiff respectfully requests the Court to grant a hearing to discuss these matters.

Thank you for your courtesies.

Very truly yours,

Peter Costea

PC/my